

12-12-16 F.

G.L. Form No. 43

954-515-1M

File

11659

Abt 11673

Harris

County

# SCHOOL LAND

Approved 11-16-17 M.E.A.

See endorsement on F. 132084 - 12-18-20  
60 Acres

See F. 132084

Survey No.

Block No.

Main & Agle. \$1000

Surveyed for

J. T. Robinson

Philip Sharp Houston

ACT APRIL 15, 1905

18 mi. N 52 W

No vacancy. See endorsement on field notes.

~~Reconsidered~~ 12-16

11/16/17 J. W. R.

Aug 29 1924

J. T. Robinson

~~Rejected~~ ~~Reconsidered~~ ~~Com. ancy~~

As per statement of Co. 17.1.1916  
Surveyor in these field notes that the J. T. Robinson  
Water Survey is filed by decree in  
S.F. 651 in position shown on sketch herein. Court  
and as it appears the Lawson has its quantity, and as  
it further appears that the original Surveyor of the Lawson  
placed it north of the Frazier South line though  
called for it to be on the said South line  
the inference is the orig. Surveyor of the Lawson  
did not know where the South line and S.E. Cor.  
of the Frazier were hence called for them  
through mistake, and upon this assumption  
the Lawson should be given its course  
and distance only, and to do that with  
admits this as a vacancy, therefore this is  
reconsidered approved and awarded.  
11/16/17 J. T. Robinson

105/426 Abt. Vol. H 1  
Ftd. " " 47

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5. Dupl. Qued. & Acpt.
6. One Int. Acpt.

O. E. Stimson  
4547 Woodside Ave.

Cert. Refund mailed to Philip  
Sharp, c/o O. E. Stimson,  
4547 Woodside Ave.,  
Houston, Tex. 2-10-31. M.H.

Entirely covered by the James  
Morgan Sundry, Cert 391, Patented 12/11/57  
(Harris S-82) - See endorsement on  
File 132084 -

2-10-31

Clock

Overpaid on this account

Available 6780 Permit 160 00

To 2-10-31

Geo. J. A.



## Application for Survey

APPLICATION NO. 3

To J. Stuart Boyles County Surveyor Harris County  
 County, Texas, or to \_\_\_\_\_ District Surveyor of  
 \_\_\_\_\_ Land District: \_\_\_\_\_

By virtue of Section 8 of an Act approved April 15, 1905, and Act May 16, 1907, I hereby apply for a survey of the following described unsurveyed land appropriated to the Public Free School Fund under Chapter 11, Act February 23, 1900, to wit:

Situated in Harris County, Texas, about 23 miles N. 50 deg. W  
 from the County site. Said tract is bounded as follows:

Bounded on the north by the Old Hugh Frazier Survey same being the James Morgan and Samuel Everett;  
On the east by the Wm Waters;  
On the south by Sec 56 H. & J. C.  
And on the west by the Andrew Lawson.

I solemnly swear that I desire said land surveyed with the intention of buying it, and that I am not acting in collusion with, or attempting to acquire said land for another person or corporation.

(N. B.—Write Name and P. O. Address Distinctly.)

Philip Sharp Applicant.  
Houston, Texas.

Subscribed and sworn to before me, this 16<sup>th</sup> day of October, 1916

(SEAL MUST NOT BE OMITTED.)

Bill Clark

I, J. S. Boyles, County Surveyor of Harris County, Texas, or Surveyor of \_\_\_\_\_ Land District, hereby certify that the above and foregoing application No. 3 was filed for record on the 16 day of October, 1916, at 4 o'clock P. M., and recorded in Vol. 8, page 3, in my office Harris County, Texas.

J. S. Boyles  
 County Surveyor

\$180<sup>00</sup>



1

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# LAND OFFICE

S. F. No. *11659*

---

## Application for Survey

---

Filed *Dec 9* 191*6*

*J. J. Robinson*  
Commissioner.

*W. S. Ship*  
Clerk.

---

*Philip Tharp*



Plat of Survey No. \_\_\_\_\_

The State of Texas,

Survey

*Harris*

County, No. \_\_\_\_\_

or \_\_\_\_\_

District, Blk. \_\_\_\_\_

FIELD NOTES of a survey of *160*acres of land made for *Phillip Sharp*Variation *9° 15' East*

by virtue of his affidavit and application made

before *Beth Clark* on the *16<sup>th</sup>* dayof *October* 191*6*, and filed with the Surveyor of *Harris* County or LandDistrict, on the *16* day of *October* 191*6*, under Section 8 of an Act approved April 15, 1905, and amend-

ment Act May 16, 1907, providing for the sale of the unsurveyed school land appropriated to the Public Free

School Fund by an Act approved February 23, 1900. Said land is situated in *Harris*County, about *23/8* miles *N 50° W* from county site, and known as Survey No. \_\_\_\_\_, in BlockNo. \_\_\_\_\_, beginning at *a stake on the East line of the Andrew**Lawson Survey 270 4/10 vrs, South of Lawson's Northeast Corner and being the South line of the Hugh Brazier (Abandoned) and the South line of the lower James Morgan.**Thence South with Lawson's East line 10056 vrs, to a stake Lawson's South east Corner on the North line of the H. C. R.R. Survey Section No. 56.**Thence East with the North line said Section 56 898 vrs, to a stake in the Center line of a County Road and being the South west Corner of the William Waters Survey as fixed on the ground by the decree in Cause No. 58154, styled Ewing vs. Pickett, District Court of Harris County, Texas.**Thence North with Center line of County Road and west line Waters Survey as fixed by above decree, 10056 vrs, to the North west Corner of said Waters Survey and S.E. Cor. of Jas Morgan. Thence west with Morgan South line 898 vrs. to the place of beginning.*

Bearings marked \_\_\_\_\_

*E. Clede*Surveyed *Oct and Nov. 1916**E. Block*

Chain Carriers

I, *J. S. Bayles*

Surveyor of

*Harris*

Texas,

do hereby certify that the foregoing survey was made by me on the ground, and according to law; that the limits,

boundaries and corners, with the marks, natural and artificial, are truly described in the foregoing Plat and Field

Notes, just as I found them on the ground; and they are recorded in my office in Book *L*, page *733*This *25<sup>th</sup>* day of *November* 191*6**J. Bayles*

Surveyor of

*Harris*

County, Texas.



I, \_\_\_\_\_, Deputy Surveyor of \_\_\_\_\_, Texas,  
do hereby certify that the foregoing survey was made by me on the ground, and according to law; that the limits,  
boundaries and corners, with the marks, natural and artificial, are truly described in the foregoing Plat and Field  
Notes, just as I found them on the ground.

This \_\_\_\_\_ day of \_\_\_\_\_ 191\_\_\_\_\_

Deputy Surveyor of \_\_\_\_\_ County, Texas.

I, J. S. Bayles, Surveyor of Harris County, Texas,  
do hereby certify that I have examined the foregoing Plat and Field Notes and find them correct, and that they  
were made on the ground as stated in the above certificate, and that they are recorded in my office in Book  
\_\_\_\_\_, page \_\_\_\_\_.

This \_\_\_\_\_ day of \_\_\_\_\_ 191\_\_\_\_\_

Surveyor of \_\_\_\_\_ County, Texas.

## LAND OFFICE

S. F. No. 11659

## FIELD NOTES

Filed

Dec. 9 1916

Commissioner.

Clerk.

Approved

191\_\_\_\_\_

*No vacancy - See Deane Court  
in F 432084 - and endorsement on  
that file - 12/18/25 - Clerk  
Commissioner*

*No vacancy. Entirely covered by  
Andrew Larson Survey (Harris B.26) patented.  
See surveyors sketch and explanation  
in SF 651, also decree of court in same  
file. 12-12-16.*

*John W. Patterson*

*See Cor. Fm. filed 9/5/18 -  
as letter of W.W.K. in file, dated 9-3-18*

*RECORDED & INDEXED  
\$ 1.00*

DEC - 9 1916

GEO. W. BEAVER  
RECEIVER

*9/2-12-16  
J.W.P.*

I, J. S. Bayles  
Surveyor of Harris County,

do solemnly swear that the classification and  
market value of the land included within the  
limits of the within field notes is as follows,

viz:

Sandy loam Soil

State Character.

Each Agricultural, market value 5.00 per acre

or Dry ~~or~~ Watered.

Grazing, market value \$5.00 per acre

Dry ~~or~~ Watered.

Kind of timber none

Market value of timber none

Overflow no Swamp no

Suitable for settlement yes

Sworn to and subscribed before me, this the

25 day of November 1916

J. A. Beeler

Notary Public - Harris  
County, Texas







No 11659

2 1/2

Sketch

Filed Dec 9, 1916  
J. P. Robinson  
Comm.  
Heldup  
Clark

See Decree of in  
F. 132084-



# APPLICATION AND OBLIGATION TO PURCHASE SCHOOL LAND WITHOUT SETTLEMENT

Houston, Texas, Nov. 21, 1917

To the Commissioner of the General Land Office, Austin, Texas:

I hereby apply to purchase under the provisions of the Acts of April 15, 1905, May 16, 1907, and April 5, 1915, relating to the sale of school land without settlement and the reservation of minerals, following land or timber, or both, situated in Harris County, Texas, about 20 miles (give course) N. W. from the county site; and I agree to pay for said land or timber, or both, the price specified below:

Section	Block	Township	Certificate	GRANTEE	Acres	Price Per Acre		Classification
						Land	Timber	
			<u>5411659</u>	<u>Philip Tharp</u>	<u>160</u>	<u>\$10.00</u>	<u>—</u>	<u>Min + Agr.</u>

I am over twenty-one years of age. (One under twenty-one years of age may purchase for cash.)

For the purpose of securing said land I hereby represent that I am buying it for agricultural or grazing purposes only, and if it is classed as mineral land, the sale to me is upon the express condition that the minerals therein shall be and are reserved to the fund to which the land belongs, and to all of which I agree. I herewith enclose the sum of \$ One Hundred Sixty as the one-tenth (Insert whether "full" or "one-tenth") cash payment therefor, and subscribe to the following oath, to-wit:

I, Philip Tharp do solemnly swear that I desire the land for my own benefit and not for any other person or corporation.

Postoffice Houston, Texas

Philip Tharp  
Applicant.

Sworn to and subscribed before me, this the 21<sup>st</sup> day of November, 1917

J. Cushman  
Notary Public Harris County, Texas.  
(Officer must not omit seal.)

NOTE.—If applicant pays all cash, he should tear off the obligation below.

## OBLIGATION

\$ 1440.00

School Lands.

For value received, I, the undersigned, do promise to pay to the State of Texas the sum of One thousand four hundred forty (\$1440.00) Dollars, with interest thereon as hereinafter specified, the same being for balance of purchase money for the following described tract of land purchased by me, this day, of the State of Texas, in accordance with the provisions of the acts relating to the sale and lease of Public Free School and Asylum lands; to-wit, One Hundred Sixty (160) acres of Section No. \_\_\_\_\_, Block \_\_\_\_\_, Township \_\_\_\_\_, Certificate \_\_\_\_\_, Grantee Philip Tharp, situated in Harris County, Texas.

The annual interest of five per cent, upon all unpaid principal, together with one-fortieth of the original principal, I am to pay or cause to be paid to the General Land Office, at Austin, Travis County, Texas, on or before the first day of each November thereafter, until the whole purchase money is paid. And it is expressly understood that I am to comply strictly with all the conditions, limitations and requirements, and am subject to and accept all the penalties contained and prescribed in the above recited acts.

Witness my hand, this 21<sup>st</sup> day of Nov., 1917  
Postoffice Houston, Texas.  
414 Stewart Bldg. Philip Tharp



File No. \_\_\_\_\_

ST 11659  
No. 11659

3

# APPLICATION OF

*Philip Sharp*  
P. O. *Houston, Tex.*  
*Stewart Bldg.*  
WITHOUT SETTLEMENT

Section	Block	Certificate	Acres
		<i>ST 11659</i>	<i>160</i>

Township	Grantee
	<i>Philip Sharp</i>

In *Harris* County.

Filed *Nov 22, 1917*

*J. H. Robison*  
Commissioner General

Awarded **NOV 22 1917**

Rejected *J. H. Robison*  
Commissioner General Land Office

Roll *Str A*  
Class *1000*

Appr'm't. *OK*

Appl'n. *OK*

Obligation *OK*

Seal. *OK*

Map. *OK*

Lease. *OK*

On Market. *Accepted*



OBLIGATION



STATE OF TEXAS  
COUNTY OF HARRIS

} CORRECTED FIELD NOTES of a SURVEY of 160 ACRES  
of land made for Philip Tharp by virtue of his

affidavit and application made before Beth Clark, a Notary Public for Harris County on the 16th day of October 1916, under Section 8, of an Act approved April 15, 1905, and amendment Act May 16, 1907, providing for the sale of the unsurveyed school land appropriated to the Public Free School Fund by an Act approved February 23, 1900.

Said land is situated in Harris County, about 23 miles N 50°W from the county seat:

BEGINNING at an iron pipe placed in the center line of the East Ashford and Northern County Road, at the Northwest corner of the Wm. Waters Survey, Abstract #851, said beginning point being also the Southeast corner of the abandoned Hugh Frazier Survey:

THENCE WEST, along the South line of the abandoned Hugh Frazier, 898 varas to a stake in the East line of the A. Lawson Survey, 270.4 vs. South of its Northeast corner:

THENCE SOUTH 1005.6 varas to a stake on the North line of Section #56, H. & T. C. R. R. Co. and the Southeast corner of the A. Lawson:

THENCE EAST, along the North line of said Section 56, 898 varas to the center line of said East Ashford and Northern County Road, being the West line of the Wm. Waters Survey:

THENCE NORTH, along the center line of said road, 1005.6 varas to the place of beginning.

Surveyed Oct. & Nov. 1916.

E. Clede }  
E. Block } Chainmen.

Mag. Var. 9°15' East.

I, J. S. Boyles, County Surveyor of Harris County, hereby certify that the foregoing survey was made on the ground, according to law, and that the limits, boundaries and corners, natural and artificial are truly described in the foregoing field notes, and that the field notes are recorded in my office in Volume L, Page 416.

Date August 19, 1918

*J. S. Boyles*  
COUNTY SURVEYOR, HARRIS COUNTY, TEX.



File 11659

Harris County  
School Land -

Oct April 15, 1905

Philip Tharp -

Corrected Field Notes -  
Filed Sept. 5<sup>th</sup> 1918 -

J. J. Robinson Commr.  
Clark clk.

STATE OF TEXAS  
COUNTY OF HARRIS

the county seat:

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Ledger 105

## Duplicate Award and Receipt

File No. 87-11659Page 426

GENERAL LAND OFFICE,

Date of Award Nov 23 1917

AUSTIN, TEXAS.

WHEREAS, Philip Sharp

of Andrew Blay Houston, Texas, has, in the manner and form prescribed by law, filed in this office an application and obligation to purchase the following land, to-wit:

Section	Block	Township	Certificate	Grantee	Acres	Price	County
	<u>87-11659</u>		<u>Philip Sharp</u>		<u>160</u>	<u>10.00</u>	<u>Harris</u>

Date of Sale Nov 22 1917Amount of Note \$ 1440.00Rate of Interest 5 per cent.

And the State having received \$ 160.00 as first cash payment thereon, I do hereby award to said applicant the survey of land described above.

SCHOOL LAND

J. Robinson  
Commissioner General Land Office.



57 11659

SCHOOL LAND

Commissioner General Land Office

Rate of Interest 5 per cent.

survey of land described above.

Amount of Note \$ 1000.00

Date of Sale Nov 23 1917

And the State having received \$ 1000.00 as first cash

Section	Block	Township	Certificate	Grant	Acres	Price	County
		241157			160	1000	Harris

by law, filed in this office an application and obligation to purchase the following land, to-wit:

of James H. Hester, Texas, has, in the manner and form prescribed

WHEREAS

AUSTIN, TEXAS.

GENERAL LAND OFFICE

Date of Award Nov 23 1917

Page 432

Ledger 102

Duplicate Award and Receipt

File No. 271157



# Duplicate Coupon

(To be Kept by Land Office)

LEDGER...105.....

PAGE...426.....

716  
8  
FILE No. 11659

Post Office...Houston, Texas, July 30th, 1919

To THE COMMISSIONER, General Land Office, Austin, Texas.

*Room 201-3 Stewart Bldg.*

I enclose...Draft on a bank of Austin...for \$ 67.80, payable  
(Say whether Money Order or Draft on a Bank in Austin, or Cash.)

to the "State Treasurer," of which { \$..... are for principal }  
\$ 67.80 are for interest } payment on the following land pur-

chased from the State by Philip Tharp, towit:

Section	Block	Township	Certificate	GRANTEE	Acres	County
School File			11659	Philip Tharp	160	Harris

It is School Land.

(Say whether School, Asylum or University.)

JUL 31 1919

*O.E. Stinson,*

(Name of Sender.)



(Name of Sender)

JUL 31 1919

It is \_\_\_\_\_  
(Say whether School, Asylum or University.)School \_\_\_\_\_  
Land \_\_\_\_\_

School File	11559	Philip Tharp	180	Harris
Section	Block	Township	Certificate	GRANTEE
				Acres
				County

chased from the State by \_\_\_\_\_ Philip Tharp, town:

to the "State Treasurer," of which } \$ 67.80 are for interest  
 } \$ are for principal  
 payment on the following land pur-

I enclose \_\_\_\_\_  
 (Say whether Money Order or Draft on a Bank in Austin, or Cash.)

\_\_\_\_\_ draft on a bank of Austin  
 for \$ 67.80, payable

To THE COMMISSIONER, General Land Office, Austin, Texas.

Post Office \_\_\_\_\_

Houston, Texas, July 30th, 1919

LEDGER 105

PAGE 428

## Duplicate Coupon

(To be Kept by Land Office)

FILE NO. 11559





General Land Office.

State of Texas.

Austin.

J.T. ROBISON, COMMISSIONER.  
J.H. WALKER, CHIEF CLERK.

Dec., 15, 1916.

Mr. Philip Tharp,  
Houston, Texas.

Dear Sir:-

Referring to your S.F. 11659, being 160 acres of land in Harris County surveyed under Section 8 Act of April 15, 1905, I beg to say that same has been rejected for the reason that there is no vacancy. This survey is entirely covered by a patented survey in the name of Andrew Lawson.

Yours truly,

Commissioner.

Harris B. 26  
Heslep/V



55011659

(7)

General Land Office

State of Texas

Austin



J. T. ROBINSON, COMMISSIONER  
J. H. WALKER, CHIEF CLERK

Dec., 16, 1905.

Mr. Philip Sharp,  
Houston, Texas.

Dear Sir:-

Referring to the G.L.O. 11555, being 100 acres  
of land in Harris County surveyed under Section 8 Act of  
April 15, 1905, I beg to say that same has been rejected  
for the reason that there is no vacancy. This survey  
is entirely covered by a patented survey in the name of

Andrew Lawson.

Yours truly,

Commissioner.

Harris B. 28  
Heslop/V



Houston, Texas, Dec. 27<sup>th</sup>, 1916.

Mr. Philip Tharp,  
Houston, Texas.

Dear Sir:

In reply to your request for an opinion in regard to the location of the Philip Tharp 160 acres as shown by map of Stuart Boyles, County Surveyor, beg to say:

We have a blue print of said map before us and it shows the correct locations of the Jas. Morgan, Wm. Graham, C. Scott, A. Lawson, Wm. Waters, M. Wood, F. McNaughton and Geo W. Eaton Surveys, as the same are claimed on the ground and as established by decrees of Court in the District Court of Harris County, Texas.

The Wm. Graham and A. Lawson Surveys were located by Trott and can not be separated. The Wm. Graham is well established on the ground as shown by this map. The Madison James, the E. Harbour and the Wm. Waters were all surveyed by Bringham and can not be separated. These surveys have all been established by decree of Court and this map shows said surveys as they were located by decree in cause No. 58154 of the District Court of Harris County, Texas.

In view of the above facts it is our opinion that the 160 acre tract called the P. Tharp tract on said map is vacant land and that it is correctly located by the map of Stuart Boyles which we have before us.

Yours very truly,

*Stuart Boyles*  
.....  
County Surveyor of Harris County.

*J. J. Mahaffey*  
.....  
Ex. County Surveyor of Harris County.

*A. E. Stinson*  
.....  
Land Surveyor.



S.F. 11659

6591175

Houston, Texas, Dec. 27, 1916.

Mr. Philip Tharp,  
Houston, Texas.

Dear Sir:

In reply to your request for an opinion in re-  
 spect to the location of the Philip Tharp 160 acres as shown by  
 map of Stuart Boyles County Surveyor, beg to say:  
 We have a blue print of said map before us and it shows  
 the correct location of the same. Morgan, Wm. Graham, C. Scott,  
 A. Lawson, Wm. Waters, M. Wood, E. McNeughton and Geo. W. Eaton  
 surveys, as the same are claimed on the ground and as established  
 by decrees of Court in the District Court of Harris County, Texas.  
 The Wm. Graham and A. Lawson surveys were located by Trott  
 and can not be separated. The Wm. Graham is well established  
 on the ground as shown by this map. The Madison James, the  
 E. Harbison and the Wm. Waters were all surveyed by B. J. Harbison  
 and can not be separated. These surveys have all been established  
 by decrees of Court and this map shows said surveys as they were  
 located by decree in cause No. 88154 of the District Court of  
 Harris County, Texas.

In view of the above facts it is our opinion that the 160  
 acre tract called the P. Tharp tract on said map is vacant land  
 and that it is correctly located by the map of Stuart Boyles  
 which we have before us.

Yours very truly,

*[Signature]*  
 County Surveyor of Harris County.  
 .....  
*[Signature]*  
 Ex. County Surveyor of Harris County.  
 .....  
*[Signature]*  
 Lead Surveyor.

*See letter to P. Tharp  
 Houston Tex. 1/18/17  
 Clark*



G. W. THARP

PHILIP THARP

THARP & THARP  
LAWYERS  
FOURTH FLOOR, STEWART BLDG.  
HOUSTON, TEXAS

364

Houston, Texas, Dec. 29, 1916.

Hon. J. T. Robison,  
Austin, Texas.

Dear Sir:

In re. S. F. 11659, being 160 acres of land in Harris County I wish to say: I am enclosing a letter from A. E. Stimson, Surveyor, T. J. Mahaffey, Ex. County Surveyor, and J. S. Boyles the present County Surveyor concerning the said 160 acre tract. The above gentlemen are all experienced surveyors and know every foot of the territory covered by the map sent you in regard to this matter.

Kindly consider this additional information in regard to my application, and oblige.

Yours very truly,

Philip Tharp

RECEIVED

DEC 30 1916

Returned to Map

T



65911-15

8

302

THARP & THARP  
LAWYERS  
FOURTH FLOOR, STEWART BLDG.  
HOUSTON, TEXAS

Houston, Texas, Dec. 29, 1916.

Hon. J. E. Robison,  
Austin, Texas.

Dear Sir:

In re. S. E. 11689, being 160 acres of land in  
Harris County I wish to say: I am enclosing a letter from  
A. E. Stinson, Surveyor, T. W. Mansley, Co. County Surveyor,  
and J. S. Boyles the present County Surveyor concerning the  
said 160 acre tract. The above gentlemen are all experienced  
surveyors and know every foot of the territory covered by the  
map sent you in regard to this matter.  
Kindly consider this additional information in regard to  
my application, and oblige.

Yours very truly,

Philip Tharp

RECEIVED  
DEC 30 1916  
U.S. DEPT. OF AGRICULTURE  
BUREAU OF LAND MANAGEMENT





# General Land Office

Austin, Texas

J. T. ROBISON, Commissioner  
J. H. WALKER, Chief Clerk

November 16, 1917.

Mr. Philip Tharp,  
Houston, Texas.

Your application to the county surveyor of Harris County, for a survey of land under Section 8 of the Act of April 15, 1905, together with the field notes for Survey No. , Block No. , 160 acres, has been examined and the field notes approved.

The land is classified as Min & Agri and valued at \$10.00 per acre, and is subject to sale to you upon the following terms, to-wit:

For cash or one tenth cash with 5% interest on the deferred principal, and without condition of settlement and improvement, and with the right to pay same out at any time and obtain patent.

If you want to buy the land for cash then you should make your application accordingly and send same to this office and at the same time remit to this office the aggregate price of the land as full cash payment thereon, and send a patent fee of \$5.00. Payment for the land and patent fee must be sent by separate remittances.

If you want to buy the land on time then you should make your application and obligation accordingly and send same to this office and at the same time remit to this office one tenth of the purchase price as the first cash payment thereon.

Enclosed herewith is a blank for application to purchase this land. To avoid delays, mistakes and correspondence you are urged to fill every blank space in making out this application to purchase. Under the law you will have SIXTY DAYS from this date within which to file your application to purchase in this office.

In writing about this matter please refer to S. F. No. 11659.

Heslep/LNC

Very respectfully,

Commissioner.



55911-1655  
9

General Land Office

Austin, Texas



November 16, 1917.

Mr. Philip Thayer,

Your application to the county surveyor of Harris County, for a survey of land under Section 8 of the Act of April 15, 1905, together with the field notes for Survey No. Block No. 160, has been examined and the field notes approved. The land is classified as Class A and valued at \$20.00 per acre, and is subject to sale to you upon the following terms, to-wit:

For cash or one fourth cash with 25 interest on the deferred principal, and without condition of settlement and improvement, and with the right to pay cash out of any time and obtain patent.

If you want to pay the land for cash when you should make your application accordingly, and send cash to this office and at the same time send to the county surveyor, Harris County, land as 1/4 section, Section 8, and send a patent fee of \$5.00. Payment for the land and patent fee must be sent by registered mail.

If you want to pay the land on time when you should make your application and obligation accordingly, and send cash to this office and at the same time send to this office one fourth of the purchase price as the first cash payment thereon.

Enclosed herewith is a blank for application to purchase this land. To avoid delays, mistakes and correspondence you are urged to fill every blank space in making out this application to purchase. Under the law you will have SIXTY DAYS from this date within which to file your application to purchase in this office.

In writing about this matter please refer to S. L. No. 11555.

Very respectfully,

Respectfully,

Commissioner.



8-26  
5-8-2  
3-19

92

W.W. KIRKPATRICK,  
LAWYER.  
ROOMS 301-2-3 STEWART BLDG.  
HOUSTON, TEXAS.

September 3rd, 1918.

Mr. J.T. Robinson,  
Commissioner General Land Office,  
Austin, Texas.

RECEIVED

SEP 5 1918

Referred to Map

Dear Sir:-

I am in receipt of your letter of August 30th last returning to me the corrected field notes of the Philip Tharp scrap land survey in this county offered by me.

I can not help but feel your action was quite appropriate in the premises, since I forwarded the corrections without explanation, and, I hope you will pardon my transgression in the matter.

I freely admit that I desire to have the correction made only for the benefits I shall receive in trespass to try title suit between the owner of this land, and the owners in the A. Lawson joining on the west. In order to explain my position in the matter it is necessary for me to give a little history regarding these lands. I have agreements with the owners in the William Waters on the east fixing their joint line by agreement to be the center line of the East Ashford and Northern County Road, which runs on the east line of the P. Tharp. I intervened in the suit by Houk and Barrow, who were trying to fix the Morgans in the abandoned Hugh Frazier, but, seeing that I was not going to get a chance to fix the survey, because, of the fact that they were going to take a dismissal because unable to locate their lands, I dismissed my intervention. Having thus, apparently, got rid of the questions on the north and east, I was rather surprised to ascertain that the Lawson was going to attempt to push their east line over this survey to the above road I have mentioned. It appears that the questions is unexpectedly going to end up by a fight between the Tharp and Lawson Surveys.

In looking over the field notes given you by the County Surveyor I noticed that he begins his survey as follows, "Beginning at a stake on the east line of the A. Lawson Survey 274 varas south of A. Lawson's north-east corner, and being the south line of the abandoned Hugh Frazier Survey, and the south line of the James Morgan Survey" thence, following the Lawson east line, etc.

It appears that the tactics of the Lawson owners are not to sue the Tharp, but, by insinuations regarding its title, and claim over it, to force the Tharp to sue. Looking at it strictly in the light of a plaintiff, when the field notes of the Tharp, as they now stand, are offered, then, you have the burden on yourself of establishing the corners of the Lawson, which seems to be a needless burden, and makes plaintiff prove practically his own case and the defendant's too. The east line of the Lawson, in fact, is 898 vs west of the center line of the abovementioned road; by making the corrections in the field notes, which certainly does not, nor was it an attempt to, enlarge the area of the Tharp, nevertheless, does allow the Tharp in offering its field notes to designate its area from an established and well defined point to a point 898 varas west, and allows it to prove its boundaries, and forces the Lawson, if it desires to crowd itself further east than the 898 varas point mentioned to assume the burden and make its own proof on the point, which in all fairness it should do. The way the field notes now stand the Tharp has to establish the Lawson



W. W. KIRKPATRICK,  
LAWYER,  
ROOMS 201-2 STEWART BLDG.  
HOUSTON, TEXAS.

Mr. J. E. Robinson,  
Commissioner General Land Office,  
Austin,  
Texas.

RECEIVED  
SEP 1 1918  
Returned to Mail

Dear Sir:-  
I am in receipt of your letter of August 30th last returning to me the corrected field notes of the Philip Sharp survey land survey in this county offered by me.  
I can not help but feel your action was quite appropriate in the premises, as I forwarded the questions without explanation and I hope you will pardon my inattention in the matter.  
I freely admit that I desire to have the correction made only for the benefits I will receive in trespass to try title suit between the owner of this land, and the owner in the A. Lawson joining on the west. In order to explain my position in the matter it is necessary for me to give a little history regarding these lands. I have agreed with the owners in the William Waters on the east fixing their joint line by agreement to be the center line of the East Ashford and Northern County Road, which runs on the east line of the P. Sharp. I intervened in the suit by Hook and Barrow, who were trying to fix the Morgans in the abandoned Right of Way, but, seeing that I was not going to get a chance to fix the survey, because of the fact that they were going to take a dismissal because unable to locate their lands, I dismissed my intervention. Having done, apparently, got rid of the questions on the north and east, I was rather surprised to ascertain that the Lawson was going to attempt to push their east line over this survey to the above road I have mentioned. It appears that the questions in unexpectedly going to end up by a fight between the Sharp and Lawson surveys.  
In looking over the field notes given you by the County Surveyor I noticed that he begins his survey as follows, "Beginning at a stake on the east line of the A. Lawson Survey 374 yards south of A. Lawson's north-east corner, and being the center line of the abandoned Right of Way Survey, and the south line of the James Morgan Survey" thence, following the Lawson east line, etc.  
It appears that the tactics of the Lawson owners are not to sue the Sharp, but, by instigations regarding its title, and claim over it, to force the Sharp to sue.  
Looking at it strictly in the light of a plaintiff, when the field notes of the Sharp, as they now stand, are offered, then, you have the burden on yourself of establishing the corners of the Lawson, which seems to be a needless burden, and makes plaintiff prove practically his own case and the defendant's too. The east line of the Lawson, in fact, is 898 west of the center line of the above mentioned road; by making the corrections in the field notes, which certainly does not, nor was it an attempt to, enlarge the area of the Sharp, nevertheless, does allow the Sharp in offering its field notes designate its area from an established and well defined point to a point 898 yards west, and allows it to prove its boundaries, and forces the Lawson, if it desires to avoid itself further east than the 898 yards point mentioned, to assume the burden and make its own proof on the point, which in all fairness it should do.  
The way the field notes now stand the Sharp has to establish the Lawson

Sc 11659



W.W. KIRKPATRICK,  
LAWYER.  
ROOMS 301-2-3 STEWART BLDG.  
HOUSTON, TEXAS.

before it can establish itself. I can not well see why the surveyor in writing field notes, although he ran the lines on the ground and established the true lines of the surveys, did not begin at some well established point rather than leave it to conjecture and a fight to establish the beginning corner.

I had not seen the field notes as given you when I talked the matter over with you in your office, otherwise, I would have called the matter to your attention then. When this contemplated suit began to be threatened I then noticed the specific calls of the field notes and then ascertained that the Tharp was placed at a disadvantage, and, one that I believe should not be put upon it. As I told you in your office when we talked about the matter I desire to establish this Tharp Survey, and it can be done certainly; I do not desire to have any unjust advantages granted me, but, I should like to make them meet me on a common footing, so, since you are certain I have not in any manner attempted to change the boundaries of the Tharp, and been fair with the Lawson, I wish that you would do me the favor of granting this correction of the field notes of the Tharp in order that I may remove the technical advantage in favor of the Lawson, which I have endeavored to detail sufficiently to make it plain, and oblige,

Yours Truly,

W.W. Kirkpatrick



W. W. KIRKPATRICK,  
LAWYER,  
ROOMS 301-2 STEWART BLDG.,  
HOUSTON, TEXAS.

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fair, and oblige,

Yours Truly,

W. W. Kirkpatrick

@S.F. 11659  
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